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Message Text

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64
ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 FEA-02 AID-20

CEQ-02 COA-02 COME-00 EB-11 EPA-04 IO-14 NSF-04

SCI-06 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08

JUSE-00 OMB-01 CIEP-03 CEA-02 TRSE-00 OIC-04 DRC-01

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R 261711Z AUG 74
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 5542

C O N F I D E N T I A L CARACAS 8273

FOR: L FROM OXMAN
E.O. 11652: GDS
TAGS: PLOS
SUBJ: LOS: ANTARCTIC RESOURCES

1. THE FOLLOWING ARE COMMENTS ON THE AUSTRAILIAN APPROACH TO US ON ANTARACTICA

A. IN THE LOS NEGOTIATIONS, AUSTRAILIA HAS STRONGLY SOUGHT THE MAXIMUM POSSIBLE EXCLUSIVE COASTAL STATE CONTROL OVER RESOURCES, AND HAS ALSO TENDED TO SUPPORT PRODUCER-STATE EFFORTS TO LIMIT OR CONTROL DEEP SEABED PRODUCTION. SOME GOA DEL MEMBERS HAVE SAID GOA PLANS TO FORM PRODUCER-STATE GROUPS AS A GENERAL POLICY MATTER.

B. THE LEGAL STATUS OF THE CONTINENTAL SHELF OFF ANTARCTICA IS UNCLEAR, AS IT DEPENDS IN LARGE PART ON THE STATUS OF THE LAND. AUSTRALIA AND OTHERS CLAIMING SOVEREIGNTY OVER PORTIONS OF
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ANTARCITCA MAY BE SEEKING TO PROTECT CLAIMS TO THE ADJACENT

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CONTIENTAL SHELF IN ANTARCTICA BY HAVING THE PARTIES TO THE ANTARCTIC TREATY TAKE SOME ACTION, PERHAPS ENVIRONMENTAL IN CHARACTER, WHICH INDICATES THAT THE CONTINENTAL SHELF IN ANTARCTICA IS NOT PART OF THE INTERNATIONAL SEABED AREA. THE CLAIMANTS WOULD PROBABLY BE IN SOME DANGER IF THE ISSUE AROSE IN THE LOS CONFERENCE, OR THEREAFTER IN THE SEABED AUTHORITY, AS THE MAJORITY OF STATES HAVE NO DIRECT INTEREST IN RECOGNIZING SOVERIEGNTY IN ANTARCTICA OR, IN PARTICULAR, ADJACENT MARITIME AREAS.

C. THE U.S HAS NO SOVEREIGNTY CLAIM IN ANTARCTICA, DOES NOT RECOGNIZE THE OTHER CLAIMS, AND IS PRECLUDED BY THE ANTARCTIC TREATY FROM MAKING A CLAIM. WE MAY BE IN A STRONG POSITION BEFORE THE NEXT SESSION OF THE LOS CONFERENCE TO OBTAIN A COMMITMENT FROM THE OTHER PARTIES FOR A GOOD INTERNATIONAL RESOURCE MANAGEMENT AND ENVIRONMENTAL SYSTEM UNDER THE ANTARCTIC TREATY UNDER WHICH ALL PARTIES, OR ALL STATES, WILL HAVE ACCESS TO ALL LAND AND SEABED MINERAL RESOURCES WITH SOME PROTECTIONS FOR THE CLAIMANTS AS A QUID PRO QUO FOR AGREEMENT ON QUICK SYMBOLIC ACTION UNDER THE ANTARCTIC TREATY THIS YEAR SATISFACTORY TO THE CLAIMANTS, COOPERATION WITH THE U.S. ON THE DEEP SEABED NEGOTIATION IN LOS COULD ALSO BE REASONABLE REQUEST. HOWEVER, THE CLAIMANTS MAY BE CALCULATING THAT THE USG, FOR SUBSTANTIVE AND BUREAUCRATIC REASONS, WILL BE SUFFICIENTLY RELUCANT TO HAVE THE LOS CONFERENCE OR SEABED AUTHORITY GET INTO QUESTIONS OF MARITIME JURISDICTION IN ANTARCTICA THAT IT WILL VOLUNTARILY COOPERATE WITHOUT SEEKING COMMITMENTS TO PROTECT ITS ANTARCTIC OR DEEP SEABED RESOURCE INTERESTS, AND THAT FOR IDEOLOGICAL REASONS THE U.S. WILL AVOID USING A "COMMON HERITAGE" ARGUMENT AGAINST THE CLAIMANTS, EVEN IN PRIVATE.
STEVENSON

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